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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|--------------------------|------------------------|
| 10/827,298 | 04/20/2004 | Peter D. Gonzales | 24294.00 | 2571 |
| <div>37833 7590 11/30/2007 LITMAN LAW OFFICES, LTD. P.O. BOX 15035 CRYSTAL CITY STATION ARLINGTON, VA 22215</div> | | | | |
| | | | EXAMINER LEE, CLOUD K | |
| | | | ART UNIT 3753 | PAPER NUMBER |
| | | | MAIL DATE 11/30/2007 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10827298 | 4/20/2004 | GONZALES, PETER D. | 24294.00 |

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EXAMINER

Cloud K. Lee

| ART UNIT | PAPER |
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Commissioner for Patents

1. Newly submitted claims 1, 5-8, 10-14, 17-20 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Species A drawn to figures 2-4, 6-7.

Species B drawn to figures 5.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 1, 5-8, 10-14, 17-20 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

The amendment filed on 10/18/07 canceling all claims drawn to the elected species and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected species because species B discloses a non-circular elliptical rim.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. Since this application has been granted special status under the accelerated examination program, NO extensions of time under 37 CFR 1.136(a) will be permitted.

The objective of the accelerated examination program is to complete the examination of an application within twelve months from the filing date of the application. Any reply must be filed electronically via EFS-Web so that the papers will be expeditiously processed and considered. If the reply is not filed electronically via EFS-Web, the final disposition of the application may occur later than twelve months from the filing of the application.

Ramesh Kirshnamurthy
RAMESH KIRSHNAMURTHY
PRIMARY EXAMINER